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HEALTH

Connecticut Launches Probe of CVS Caremark

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Updated June 23, 2010 2:45 p.m. ET

Connecticut Attorney General Richard Blumenthal announced an investigation of what his office called CVS Caremark Corp.'s "threat to terminate" a discount prescription program for customers in the state.

Mr. Blumenthal's office said Wednesday that he has subpoenaed CVS Caremark, demanding that the company explain why providing generic drug discounts to Connecticut's Medicaid program would result in the termination of the company's Health Savings Pass program statewide.

With the Health Savings Pass, consumers pay \$10 a year for access to deeply discounted 90-day supplies of generic drugs. A new state law requires pharmacies to charge Medicaid the lowest drug price they offer consumers, and the state says that obligates CVS to provide the discount to Medicaid customers, too. CVS disagreed and responded by threatening to end the program in Connecticut, Mr. Blumenthal's office said.

Mr. Blumenthal launched the probe after Gov. M. Jodi Rell asked his office to review the proposed policy change.

"I am deeply concerned that with this change there would be a potential violation of the law and a costly loss of discounts for Connecticut consumers," Gov. Rell said in a

CVS Caremark's spokesman, Michael DeAngelis, said in an e-mailed statement that Connecticut's demand to apply Health Savings Plan pricing to Medicaid recipients "would alter the intent of this program and make it economically unfeasible to continue." He added that the program is voluntary and isn't required by law.

Mr. DeAngelis added that existing Connecticut Social Services regulations "expressly state that special discounts are not required to be passed on to the state Medicaid program."

According to a news release from the attorney general's office, Mr. Blumenthal said in a letter to CVS Caremark Chief Executive Thomas M. Ryan that he was "concerned you have singled out" Connecticut for elimination of the discount program, considering the program "continues to operate in other states where CVS Caremark does business."

Mr. Blumenthal asked CVS to turn over documents supporting its claim that extending the benefits to Medicaid recipients would be "economically unfeasible," as well as a list of prices the company charges under the program and under Medicaid pricing and the costs of those drugs to the company. He asked the company to provide the information by July 9.

Mr. Blumenthal, a Democrat who is running for the U.S. Senate, said in the news release announcing the probe, "Health-care costs—including pharmaceuticals—are out of control and need to be reined in....I will battle to enforce the law to reduce medical costs, making quality health care more affordable for consumers and businesses."

Mr. Blumenthal has begun several investigations into companies of late, the most recent being a multistate probe he announced Monday of Google Inc. over data collection.

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